

Quarterly Update: Covid-19 & Emergency Measures and Civic Freedoms in Georgia: Imposition of Fines

The Government of Georgia imposed various restrictive measures for prevention of spread of coronavirus, including against freedom of movement, assemblies and manifestations, gatherings, economic activities, and rules related to quarantine and isolation. The violation of these rules constituted administrative offense and envisaged penalties. Numerous fines were issued against physical persons and legal entities in Georgia for violating Covid-19 regulations during and beyond the state of emergency.

Law on Exemption from Administrative Penalty and Law on Amnesty

At the end of June 2021, the government initiated a package of draft laws¹ - Draft Law on Exemption from Administrative Penalty and Draft Law on Amnesty - which envisaged exemption from the administrative sanctions and amnesty for the criminal liabilities imposed for the violation of the Covid-19 measures. According to the Draft Law, the individuals and legal entities who had been sanctioned but had not yet paid fines, did not have to pay them. **As a result of this initiative, some 76 million GEL (20.8 million EUR) unpaid fines for violation of Covid-19 related regulations were waived².** On September 7, 2021, both laws were passed through the third and final hearing by the Parliament of Georgia³.

The Human Rights Center has underlined numerous times that the fines imposed on physical persons and legal entities for violation of Covid-19 regulations were disproportionately high and did not consider the worsened socio-economic context. Even though the waiver of the fines must be assessed positively, the timing of their adoption raises doubts that they aimed to gain voter support for the upcoming local government elections which was held on October 2.

Table 1. Imposition of fines in numbers

	Physical persons	Legal entities
Number of fines imposed (March 21 – May 22, 2020)	8.418	105
<i>Total amount of fines: Over 26.6 million GEL⁴ (7.3 million EUR)</i>		
Number of fines imposed (May 22, 2020 – June 2021)	223.018	239
<i>Total amount of fines: Over 49.2 million GEL (13.5 million EUR)</i>		

¹ Draft Law on Exemption from Administrative Penalty:

<https://info.parliament.ge/#law-drafting/22384>

Draft Law on Amnesty:

<https://info.parliament.ge/file/1/BillReviewContent/279558?>

² Parliament of Georgia:

<https://parliament.ge/print/news/izolatsiis-da-karantinis-tsesis-pirbadis-tarebis-tsesis-da-sagangebo-mdgomareobis-rezhimis-damrghhev-pirebs-amnistia-sheekhebat>

³ Parliament of Georgia:

<https://info.parliament.ge/#law-drafting/22384>

⁴ Explanatory note of the Draft Law on Exemption from the Administrative Penalty:

<https://info.parliament.ge/file/1/BillReviewContent/279316?>

Radio Liberty:

<https://bit.ly/3kWlvBh>

Fines imposed in the period March 21 – May 22, 2020:

By the time of the initiation of the draft law on exemption of administrative penalty, forced execution was completed only in 29 cases of physical persons for total amount of 87.000 GEL (23.860 EUR) and was ongoing in 6.861 cases for the total amount of 20.583.000 GEL (5.644.888 EUR). As for legal entities, forced execution had started only in 7 cases for a total amount of 105.000 GEL (28.796 EUR)⁵.

Fines imposed in the period May 22, 2020 – June 2021:

Forced execution had started in 11.272 cases of physical persons, regarding the fines of 2.000 GEL (548 EUR). By the time of the initiation of the draft law on exemption of administrative penalty, forced execution concerned 22.544.000 GEL (6.182.692 EUR) in total. It was completed only in 4 cases (8.000 GEL/2194 EUR) and was ongoing in 11.268 cases for total amount of 22.536.000 GEL (6.180.498 EUR). As for the legal entities, the forced execution started in 39 cases for 390.000 GEL (106.962,47 EUR). It was completed only in 1 case for 10.000 GEL (2743 EUR). It was ongoing in 38 cases for 380.000 GEL (104.220 EUR).

Forced execution started in 29.309 cases of violation of rule of wearing mask. It was completed in 9.575 cases for 191.500 GEL (52.521 EUR). It was ongoing in case of 19.309 cases⁶.

⁵ Explanatory note of the Draft Law on Exemption from the Administrative Penalty:
<https://info.parliament.ge/file/1/BillReviewContent/279316?>

⁶ ibid